

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	
Jacob Guss	:	
A/K/A Jacob L. Guss	:	Chapter 13
A/K/A Jacob Lawrence Guss	:	
Leann Guss	:	Bankruptcy No. 14-16723 ELF
A/K/A Leann M. Guss	:	
A/K/A Leann Marie Guss	:	
	:	
Debtors	:	
	:	
Jacob Guss	:	
A/K/A Jacob L. Guss	:	
A/K/A Jacob Lawrence Guss	:	
Leann Guss	:	
A/K/A Leann M. Guss	:	
A/K/A Leann Marie Guss	:	
v.		

Wells Fargo Bank, N.A.

Respondent

**RESPONSE OF WELLS FARGO BANK, N.A. TO
DEBTORS' MOTION PURSUANT TO BANKRUPTCY CODE SECTION 363 FOR
AUTHORITY TO SELL REAL ESTATE LOCATED AT 557 FRIEDENSBURG ROAD,
READING, BERKS COUNTY, PENNSYLVANIA 19606 FREE AND CLEAR OF LIENS
AND ENCUMBRANCES AND TO PERMIT DISTRIBUTION OF SALE PROCEEDS**

Respondent, Wells Fargo Bank, N.A., by and through its attorneys, Phelan Hallinan
Diamond & Jones, LLP, hereby responds to **DEBTORS' MOTION PURSUANT TO
BANKRUPTCY CODE SECTION 363 FOR AUTHORITY TO SELL REAL ESTATE
LOCATED AT 557 FRIEDENSBURG ROAD, READING, BERKS COUNTY,
PENNSYLVANIA 19606 FREE AND CLEAR OF LIENS AND ENCUMBRANCES AND
TO PERMIT DISTRIBUTION OF SALE PROCEEDS** and in support thereof, avers as
follows:

1. Admitted.
2. Admitted.
3. Admitted.

4. Admitted.
5. Denied. Respondent is without information or knowledge sufficient to form a belief as to the truth of the within averment.
6. Denied. Respondent is without information or knowledge sufficient to form a belief as to the truth of the within averment.
7. Denied. Respondent is without information or knowledge sufficient to form a belief as to the truth of the within averment.
8. Denied. Respondent is without information or knowledge sufficient to form a belief as to the truth of the within averment.
9. Admitted.
10. Denied. Respondent is without information or knowledge sufficient to form a belief as to the truth of the within averment.
11. i.-viii. Denied. Respondent objects to any payment from the proposed Sale of the Property unless its first mortgage lien is paid in full at the time of closing.
12. Admitted in part, Denied as stated in part. Respondent admits that it holds a lien on the subject property. Respondent must be paid in full subject to a proper payoff quote at the time of closing.

WHEREFORE, Respondent, Wells Fargo Bank, N.A. respectfully requests that this Honorable Court deny **DEBTORS' MOTION PURSUANT TO BANKRUPTCY CODE SECTION 363 FOR AUTHORITY TO SELL REAL ESTATE LOCATED AT 557 FRIEDENSBURG ROAD, READING, BERKS COUNTY, PENNSYLVANIA 19606 FREE**

**AND CLEAR OF LIENS AND ENCUMBRANCES AND TO PERMIT DISTRIBUTION
OF SALE PROCEEDS** without the following provision:

- 1) Debtor shall include in the Order that either Wells Fargo Bank, N.A. will be paid in full subject to a proper payoff quote at the time of closing or that any sale short of full payoff will be subject to Wells Fargo Bank, N.A.'s final approval.
- 2) Closing is required within 30 days of the payoff quote date or a new payoff is required within 30 days of closing.

Respectfully submitted,

Date: June 26, 2019

/s/ Thomas Song, Esquire
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